

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

BISHOP & DIEHL, LTD., etc.,                 )  
  )  
  )  
Plaintiff,    )  
  )  
  )  
v.    )    No. 13 C 7787  
  )  
  )  
ASIUS TECHNOLOGIES, LLC,                            )  
  )  
  )  
Defendant.    )

MEMORANDUM ORDER

On October 30, 2013 Bishop & Diehl, Ltd. ("Bishop & Diehl") filed its Complaint in this action, seeking to recover legal fees assertedly owed to it by Asius Technologies, LLC ("Asius"). Now Bishop & Diehl's counsel has noticed up a motion, to be presented on November 7, in which leave is being sought to file an Amended Complaint.

That motion is puzzling, because it states that it is being submitted "pursuant to Rule 15 of the Federal Rules of Civil Procedure," while that Rule--essentially the legal counterpart to what at common law used to be called the "dog-bite rule" (allowing one free bite)--expressly allows a party to file one amendment to a pleading "as a matter of course" when that is done within such a short time frame (see Rule 15(a)(1)). Accordingly Bishop & Diehl is free to file its proposed Amended Complaint without seeking leave of this Court to do so. And that being the case, there is no need for Bishop & Diehl's counsel to

appear on the designated November 7 presentment date.



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Milton I. Shadur  
Senior United States District Judge

Date: November 6, 2013